

109TH CONGRESS
2D SESSION

H. R. 5038

To amend title 38, United States Code, to extend and expand the application of the Department of Veterans Affairs benefit for Government markers for marked graves of veterans buried in private cemeteries and to provide Government markers or memorial headstones for deceased dependent children of veterans whose remains are unavailable for burial.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2006

Mr. MILLER of Florida (for himself and Ms. BERKLEY) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to extend and expand the application of the Department of Veterans Affairs benefit for Government markers for marked graves of veterans buried in private cemeteries and to provide Government markers or memorial headstones for deceased dependent children of veterans whose remains are unavailable for burial.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans’ Memorial
5 Marker Act of 2006”.

1 **SEC. 2. EXTENSION AND EXPANDED APPLICATION OF DE-**
2 **PARTMENT OF VETERANS AFFAIRS BENEFIT**
3 **FOR GOVERNMENT MARKERS FOR MARKED**
4 **GRAVES OF VETERANS BURIED IN PRIVATE**
5 **CEMETERIES.**

6 (a) ONE-YEAR EXTENSION OF GOVERNMENT MARK-
7 ER BENEFIT.—Section 2306(d)(3) of title 38, United
8 States Code, is amended by striking “December 31, 2006”
9 and inserting “December 31, 2007”.

10 (b) APPLICATION OF GOVERNMENT MARKER BEN-
11 EFIT TO VETERANS DYING ON OR AFTER NOVEMBER 1,
12 1990.—Subsection (d) of section 502 of the Veterans
13 Education and Benefits Expansion Act of 2001 (Public
14 Law 107–103; 38 U.S.C. 2306 note) is amended by strik-
15 ing “September 11, 2001” and inserting “November 1,
16 1990”.

17 **SEC. 3. PROVISION OF GOVERNMENT MARKERS OR MEMO-**
18 **RIAL HEADSTONES FOR DECEASED DEPEND-**
19 **ENT CHILDREN OF VETERANS WHOSE RE-**
20 **MAINS ARE UNAVAILABLE FOR BURIAL.**

21 (a) PROVISION OF MARKERS.—Subsection (b) of sec-
22 tion 2306 of title 38, United States Code, is amended—

23 (1) by adding at the end of paragraph (2) the
24 following new subparagraph:

25 “(C) An eligible dependent child of a veteran.”;

26 and

1 (2) by adding at the end of paragraph (4) the
2 following new subparagraph:

3 “(C) For purposes of this section, the term ‘eli-
4 gible dependent child’ means a child—

5 “(i) who is under 21 years of age, or under
6 23 years of age if pursuing a course of instruc-
7 tion at an approved educational institution; or

8 “(ii) who became permanently physically or
9 mentally disabled and incapable of self-support
10 before reaching 21 years of age, or before
11 reaching 23 years of age if pursuing a full-time
12 course of instruction at an approved educational
13 institution.”.

14 (b) ADDITION OF MEMORIAL INSCRIPTION TO HEAD-
15 STONE OF VETERAN.—Subsection (f) of such section is
16 amended by inserting “or eligible dependent child” after
17 “surviving spouse” both places it appears.

18 (c) EFFECTIVE DATE.—The amendments made by
19 subsections (a) and (b) shall apply with respect to individ-
20 uals dying after the date of the enactment of this Act.

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